

REMARKS

This amendment is offered in response to the Office Action of August 24, 2004.

At the outset, SPE Rada verbally agreed on February 22, 2004 to reset the date for this Office Action. Therefore, it is respectfully submitted that no request for an extension is required for this amendment and that this amendment is timely filed. However, a conditional request for an extension is included herewith.

The Office Action rejected Claims 1 and 2 under 35 U.S.C. §112, second paragraph. It is assumed that this was intended to refer to Claims 7 and 8.

With respect to the “relatively thin wall” of Claim 7, this amendment amends this language to read “walls with a thickness of less than 0.035 inches”. This is consistent with the language used in the issued claims of the parent application, now U.S. Patent No. 6,612,466.

With respect to the “fitment” recited in Claim 7, antecedent basis is provided in line 1 herein. Therefore, “a fitment” is amended to “said fitment” on line 4 herein (line 5 as typed in the preliminary amendment).

With respect to the “heated mandrel” recited in Claim 7, antecedent basis is provided in line 6 herein (likewise line 6 as typed in the preliminary amendment). Therefore, “a heated mandrel” is amended to “said heated mandrel” in Claim 7, line 9 herein (line 11 as typed in the preliminary amendment)

The Office Action rejected Claims 7 and 8 under 35 U.S.C. §103(a) as being obvious over the Buchanan reference (U.S. Patent No. 5,855,544) in view of the Schiesser reference (U.S. Patent No. 3,765,144).

However, Claim 7, upon which Claim 8 depends, has been amended to recite that the fitments have “walls with a thickness of less than 0.035 inches”. Additionally, Claim 9 has been added to recite that the walls have “a thickness of less than 0.020 inches”.

These ranges of thicknesses are neither disclosed nor suggested by the cited references, alone or in combination. It is therefore respectfully submitted that the rejection over the prior art has been overcome.

For all of the reasons above, it is respectfully submitted that all of the presently pending claims are in immediate condition for allowance. The Examiner is respectfully requested to withdraw the rejections of the claims, to enter this amendment, to allow the claims, and to pass this application to early issue.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ronald E. Brown", with a stylized, flowing script.

Ronald E. Brown
Registration No. 32,200

Pitney Hardin LLP
7 Times Square
New York, New York 10036-7311
212-297-5800